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REMARKS

Claims 1-28 are pending. In the Office Action of February 10, 2006, the examiner rejected claims 1-12, 14-17, 20, 21, and 23-28 under 35 U.S.C. § 102(e) as being unpatentable over Yeom et al., U.S. Patent No. 6,526,027 ("Yeom") and rejected claims 18, 19, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Yeom in view of Dorenbosch, U.S. Patent No. 5,959,546. The Examiner indicated that claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

The Examiner's rejections are traversed below. Applicant gratefully acknowledges the recognition of patentable subject matter in claim 13.

Summary of the Invention

The present invention provides a method and apparatus for providing informative broadcast services in a wireless communication system. The wireless communication system includes a plurality of base stations, each serving a plurality of users via a plurality of communication channels. According to the invention, an alerting message is sent to wireless communication devices associated with the wireless network. The alerting message identifies a communication channel on which a broadcast message will be sent. The alerting message indicates to a user that a broadcast message is available. After the alerting message is given, the broadcast message is sent over the communication channel. The alerting message and the broadcast message are separate communications. After receiving the alerting message, the user may then decide to receive the broadcast message. Alternatively, the user may ignore the broadcast or toggle between the broadcast and an existing call. The broadcast message is information for the user, such as a weather broadcast, emergency bulletin, news, sports or the like.

Claims 1-12, 14-17, 20, 21 and 23-28 are Patentable Over Yeom

The Examiner rejected claims 1-12, 14-17, 20, 21 and 23-28 under 35 U.S.C. § 102(e) as being anticipated by Yeom. The Applicant respectfully traverses the rejection with respect to claims 1-12, 14-17, 20, 21 and 23-28 on the basis that these claims include certain novel limitations that are not disclosed by Yeom. In particular, as discussed further below, Yeom fails to disclose, at least, a means or method for initially alerting a user of a wireless unit of

availability of a broadcast message prior to delivery of the broadcast message and then providing the user an opportunity to direct the mobile device to receive the broadcast message.

According to the Examiner, with reference to claim 1, Yeom discloses all the elements of the claim. The Applicant disagrees. In particular, Yeom lacks the level of user notification and interaction contemplated by the claims of the present invention.

Yeom is directed to saving bandwidth for certain broadcast messages. This is accomplished by selectively changing the channel over which a broadcast message is to be received. For example, Yeom teaches switching from a busy paging channel for a message to a channel that is not as busy and is not dedicated to paging. Notably, Yeom does not alert the user of the pending broadcast. Instead, Yeom communicates with the mobile device to automatically force the mobile device to receive the broadcast message on the alternate channel. There is no user interaction disclosed in Yeom for selectively receiving the broadcast message.

In contrast to Yeom, the present invention advantageously puts a user in control of receiving broadcast messages, such as weather broadcasts, news, sports, emergency bulletins or the like. This is accomplished by first alerting the user to the availability of a broadcast message. Then the broadcast message is sent over a channel that the user can access at the users option. Advantageously, the user has control over the broadcast message. Yeom lacks, at least, notification to a user via the alerting message, of a broadcast message. Hence, claims 1 is patentable over Yeom.

Each of independent claims 12 and 24 requires an alert message indicating to a user a subsequent broadcast message. As discussed above, with respect to claim 1, Yeom does not disclose, suggest or teach, at least this novel element of the present invention. Additionally, Yeom does not disclose, teach or suggest an alert message including a dialing instruction by which users may request a broadcast message, as recited in claim 27. Hence, independent claims 12, 24 and 27 are patentable. The dependent claims 2-11, 13-23, 25-26 and 28 depend ultimately from one of the independent claims, and are patentable for at least the reasons given above for the independent claims.

The Claims Are Patentable Over Yeom and Dorenbosch

The Examiner rejected claims 18-19, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Yeom in view of Dorenbosch. According to the Examiner, Yeom teaches all the elements of the subject claims, except that Yeom fails to teach or disclose alerting comprising a user-audible and a user-visible signal, as recited in claims 18, 19 and 22. According to the Examiner, Dorenbosch teaches the elements missing from Yeom. The Examiner concludes that the claims are obvious in view of the combination of Yeom and Dorenbosch.

The Applicant disagrees with the Examiner's conclusion. First, even assuming a combination of Yeom and Dorenbosch is appropriate, such a combination still fails to disclose certain novel elements of the subject claims. Namely, a combination of Yeom and Dorenbosch fails to disclose first alerting the user to the availability of a broadcast message and then the broadcast message being sent over a channel that the user can access at the users option, as discussed above. In addition, Dorenbosch does not even address the problem solved by the present invention. Dorenbosch relates to selective call receiving through addressing. While some audible and visual alerting are mentioned in Dorenbosch, the context there is not applicable to the teachings of the present invention. Hence, there is no motivation for one of ordinary skill in the art to combine the references to address the problems solved by the present invention.

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CONCLUSION

All pending claims are in condition for allowance. Allowance at an early date is solicited.

Respectfully submitted,



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